

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

VITTORIO GUERRIERO, M.D., and)	
GREGORY C. NACOPOULOS, D.O.,)	
)	
Plaintiffs,)	
)	
vs.)	No. 08 C 2388
)	
MERIT LINCOLN PARK, LLC, GREGORY A.)	Judge Grady
CIERLIK, WILLIAM S. MARKEY, M.D.,)	
MARIA M. MUNOZ, M.D., CHRISTOS A.)	Mag.Judge Brown
GALANOPOULOS, M.D., GEORGE I.)	
SALT, M.D., GEORGE ENGEL, M.D.,)	
HOWARD A. MORITZ, M.D., CHRISTINE)	
BRADY, R.N., ERHARD R. CHORLÉ and)	
LYNN A. ELLENBERGER,)	
)	
Defendants.)	

MOTION FOR LEAVE TO FILE OVERSIZED BRIEF

Defendants, Erhard R. Chorlé and Lynn A. Ellenberger (collectively, “defendants”), by their attorneys, Kevin M. Forde, Ltd., respectfully move for leave to file an oversized brief in support of their motion to dismiss, and state as follows:

1. Defendants are required to answer or otherwise plead to plaintiffs’ complaint on June 2, 2008.
2. Defendants plan on moving to dismiss the complaint pursuant to Fed. R. Civ. P. 12(b)(6) and have been preparing a memorandum in support of their motion.
3. The complaint contains nine counts and consists of 135 paragraphs over 39 pages. The claims made by plaintiffs include fraud, tortious interference, civil conspiracy, and RICO violations.

4. Defendants have endeavored to succinctly state their arguments in favor of dismissal. Due to the prolixity of the complaint and the number of claims, as well as applicable immunities involved, defendants need to file an over-sized brief.

5. Defendants therefore seek leave to file an oversized brief in support of their motion to dismiss, not to exceed 30 pages.

6. Defendants make this motion in good faith and not for purposes of delay.

WHEREFORE, defendants respectfully request that this Court grant them leave to file a brief in support of their motion to dismiss, not to exceed 30 pages in length.

Respectfully submitted,

/s/Kevin M. Forde

One of the Attorneys for Defendants

Erhard R. Chorlé and Lynn A. Ellenberger

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